United Nations CRC/C/OPSC/NZL/Q/1

Convention on the Rights of the Child

Distr.: General
11 March 2016

Original: English
English, French and Spanish only

Committee on the Rights of the Child
Seventy-third session
13-30 September 2016
Item 4 of the provisional agenda
Consideration of reports of States parties

List of issues in relation to the report submitted by New Zealand under article 12 (1) of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography

The State party is requested to submit, in writing, additional, updated information (10,700 words maximum), if possible before 1 June 2016.

The Committee may take up any aspects of the children's rights set out in the Optional Protocol during the dialogue with the State party.

1. Please provide statistical data, disaggregated by sex, age, nationality, ethnic origin, socioeconomic background and urban or rural residence, for the past three years, on the number of:

(a) Reported acts of sale of children, child prostitution and child pornography, as well as other forms of exploitation, including child sex tourism, with additional information on the type of action taken as a result, including the prosecution and punishment of perpetrators;

(b) Children trafficked from, to or within New Zealand for the purpose of sale, prostitution, engagement in forced labour, illegal adoption, organ transfer or pornography as defined in article 3 (1) of the Optional Protocol;

(c) Children offered, delivered or accepted, by whatever means, for the purpose of prostitution, engagement in forced labour, illegal adoption, organ transfer, pornography or marriage;

(d) Child victims who have been provided assistance with reintegration or have received compensation.

2. Please provide information on the progress made towards the establishment of a centralized system for the compilation of data within all the State party's agencies involved in child protection matters covered under the Optional Protocol.

3. Please provide updated information on the programmes put in place by the State party, as well as those put in place by civil society organizations, to raise awareness of the

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Optional Protocol regularly and systematically among the general public, among groups of professionals who work with children and among children themselves.

4. Please provide information on the preventive measures taken to protect particularly vulnerable children who are at risk of becoming victims of the offences covered by the Optional Protocol, and especially children who are victims of domestic violence, children living in institutions, children using the Internet without proper supervision, children who use drugs, and child refugees and asylum seekers, as well as children in irregular migration situations.

5. Please specify the measures taken to prevent child sex tourism and to publicize, inter alia, the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism, developed by the World Tourism Organization, and to establish a mechanism through which the State receives notifications of cases of child sex tourism committed in other countries by nationals or foreign residents of the State party. Please also indicate whether perpetrators of child sex tourism have been tried by the courts of the State party.

6. Please indicate whether all the offences referred to in the Optional Protocol are legislatively defined and are distinct and separately indictable. In doing so, please elaborate on how those offences are differentiated from offences covered by the State party's legislation on human trafficking.

7. Please indicate whether the legislation of the State party establishes extraterritorial jurisdiction for all offences that constitute the sale of children, child prostitution and child pornography when committed abroad by a citizen of New Zealand or a person who resides habitually in New Zealand or when the victim is a child who is a national of New Zealand. Please also indicate whether the Optional Protocol may be used as a legal basis for extradition.

8. In respect of child victims and witnesses of the criminal offences covered by the Optional Protocol, please provide specific information on the measures taken to protect the rights and interests of such children at all stages of the legal process and of the treatment provided to victims, particularly as regards psychological support, rehabilitation, reintegration and compensation, including in establishments offering specialized care. Additionally, please describe the programmes introduced for perpetrators of the offences covered by the Optional Protocol.

9. Please indicate the measures taken to ensure that, in practice, foreign child victims of any of the offences covered by the Optional Protocol have access to assistance and protection services that meet the same quality standards as those provided to children who are nationals of New Zealand.